

Before the
Administrative Hearing Commission
State of Missouri



)	
)	
Petitioner,)	
)	
vs.)	No.
)	
)	
)	
Respondent.)	

JOINT PROPOSED PRE-HEARING ORDER

On _____ this Commission held a pre-hearing conference pursuant to Rule _____.

It is ordered:

I. Statement

The parties shall file a statement addressing the following.

a. Nature of the Case

The parties shall state the nature of the case including the claims of the parties to assist this Commission in understanding the case.

b. Jurisdiction

The parties shall state the cause of action sought, such as discipline, compensation, attorney fees, stay, or other relief, and state whether this Commission's jurisdiction is disputed and, if so, the basis on which jurisdiction is contested.

II. Stipulations

a. Uncontroverted Facts

The parties shall include any undisputed facts or facts that have been agreed to by the parties.

b. Agreed to Issues of Law

The parties shall state any issues that they agree will be decided by this Commission.

III. Discovery

The parties shall state whether they wish to engage in discovery and, if so, the time required to complete all discovery, specifically producing cutoff dates for expert and fact witnesses. Any depositions filed as evidence shall be introduced with deposition designations.

IV. Witness List

The parties shall file a list of the witnesses they expect to call, including experts. Each party may call such rebuttal witnesses as may be necessary, without prior notice thereof to the other party.

V. Exhibits

The parties shall file a pre-hearing exhibit stipulation that contains each party's numbered list of hearing exhibits with objections, if any, to each exhibit, including briefly the basis of the objection. The parties shall list their exhibits in numerical (for Petitioner) or alphabetical (for Respondent) order. Where practicable, copies of all exhibits to which there is an objection shall be submitted with the stipulation. The burden for timely submission of a complete list is on Petitioner. Each party shall submit a pre-marked copy of each exhibit for use at the hearing.

VI. Hearing

The hearing of this contested case is set for _____. The probable length of the hearing is ____ days. The case will be listed on the hearing calendar.

VII. Summary Decision

Any motion for summary decision shall be filed by _____.

VIII. Modifications

This pre-hearing order may be modified prior to or at the hearing to prevent manifest injustice or for good cause shown. Such modification may be made either on application of counsel for the parties or on motion of this Commission.

SO ORDERED on

NIMROD T. CHAPEL, JR.
Commissioner